



T O T H E

High and Mighty Monarch *C H A R L S* the second,
By the Grace of God King of *England, Scotland,*
France and Ireland, Defender of the Faith, &c.

The Humble Petition of Simon Smith, late Agent for the Royal Fishing.

SHEWETH,

That Your Majesties late Royal Father of glorious memory, did in the year 1632. upon the following Motives, viz.

1. The great plenty of Fish in the Seas, Rivers and Creeks of his Majesties Dominions.

2. The employment of all sorts of people.

3. The advancement of Trade.

4. The increase of strength to the Navy.

5. The profit that might accrew to His Majesties Subjects.

6. The increase of sundry Manufactures for setting at work idle and vagrant people, whereby they may be able to relieve themselves and others, and merchandize and traffick may by their industry be improved, constitute and establish a Society of Fishers, and declared that he was resolved by all good occasions favourably to assist the said Trade, and graciously to accept the forwardnesse of all those who should express their zeal to his Majesties service in so general and publick an undertaking, it being then resolved and concluded by his Majestie, that the said Trade in it self was very honourable and necessary for his Kingdom, as also hopeful and likely to prove very beneficiall to the particular Adventurers. Now that the true manning, and most advantageous prosecution thereof, is by experience discovered, as by the Petitioners Book annexed are expressed. Whereupon the Right Honourable *Philip* late Earl of *Pembrook*, and *Mountgomery* and his Associates did cause sundry Vessels to be built which imployed many families in making of Nets and other provisions which yearly went out to the Fishing, and performed the taking and curing of Herrings and

1640. although the Adventurers were much hindered and damaged by the *Dunkirkers*, to the value of ten thousand pounds and upwards for which no Reparation could be as yet had, whereby the prosecution thereof was given over, and the Fishers and others that were trained up to a right understanding of the business, were dispersed by reason of the National troubles increasing, which troubles having begotten great numbers of poor Families and Vagrants in the Nation, who want of employment are brought into a miserable condition, and will perish unless some speedy course be taken for their relief. The consideration whereof hath stirred up Your Petitioner humbly to present this Herring-Busse Fishing to your Majesty, as the only employment for redress therein; First, For the making of Nets, which will set on work all sorts of people, both young and old, in the Trades of Hemp-beaters, Hatchelers, Hemp dressers, Twine, Spinners, Net-makers, Beetlers, Brayders, Labourers for taming the Nets, &c. Also Shipwrights, Joyners, Mast-makers, Pulley-makers, Rope-makers, Sail makers, Smiths and sundry others; Also the provisions for Casks, Clap-boards, Coopers, Clevers, Hoopers and others. The Manufactures of, and belonging to every Busse will set on work twenty Families, besides the breeding of Country Youths to be serviceable Marriners in short time, the exportation of the Herring to Forraign parts, will employ many Ships, and make a greater importation of Commodities, as Hemp, Pitch, Tarr, Ropes, Masts, Deals, Clap-boards, Salt, and sundry other provisions. The work being of so great consequence, requires Your Majesties most gracious and serious consideration, to be made a National business, and such persons chosen for the managing thereof as for conscience sake may be for the publick good, and not self-ends, for if it be recommended to all Corporations in the Nation, and in every County to raise a stock to buy Hemp and other materials, to set their poor on work, and to provide Artists to teach and manage the making of Nets, &c. to be sent to a Magazeen, at the next Port a Busse may be there bought and furnished out for that County, Town or Corporation, and so in the Fishing season may go forth to the Fishing-grounds at the Island of *Sheteland*, where the *Hollander* hath his Rendezvouz for all his Busses, as by the annexed Book thereof, appeareth, and return with great profits to the Employers.

Your Petitioner therefore most humbly implores Your Majesty's gracious favour to take the Premises into your Majesty's consideration, and to give such furtherance and countenance to the same, as to Your Gracious Majesty shall seeme fittest.

(3)
And in answer to the said Petition His Majesty was graciously pleased by His Letter unto the Lord Major of *London*, to direct what he would have done in the great Fishing with Busses which His Royal Father of blessed memory did in the year 1632. constitute and establish a Society of Fishers, and declared that he was resolved by all good occasions favourably to assist, and graciously accept the forwardnesse of those that should expresse their zeal to His Majesties service in so general and publick an undertaking; It being then resolved and concluded by his Majesty, that it was very honourable and necessary for his Kingdom; now that the true manning, and most advantageous prosecution thereof, is by experience discovered.

And being informed that the Nation doth abound with great numbers of poor Families, who for want of employment are like to perish, unless some speedy care be taken for their relief. And that the severall Wards and Suburbs of this City of *London*, and Hamlets adjacent, are burdened with multitudes of poor people, not only which are born in the said places, but such as come out of sundry *Countries* to seek relief; for redresse whereof His Majesty did recommend the care thereof unto the Lord Major of the said City, to advise with each Alderman, and cause his Ward meet Inquest, to give in a particular of all the poor Inhabitants within his Ward, what their employment is, and how many are without employment, and present the same to the rest of the Inhabitants in his Ward, and excite them to a free subscription for raising of a stock to buy *Hemp* and *Clapboards* to make fishing-Herring Nets, and Barrels for the furnishing out of one Busse, which is to belong solely to the said Ward, which will give all the poor and Vagrants in that Ward employment; The said Ward husbanding the same stock to their best advantage, which His Majesty will in like manner recommend to all the *Counties, Cities* and *Towns* in His Majesties Dominions, whereby to make it a Nationall employment for the generall good, and will give all fitting assistance unto the Undertakers for their encouragement, that so when provisions shall be made ready, and Store-houses, Wharfs and Docks shall be built in commodious places, Magazeens may be fitted with Nets, Cask, Salt, and all things in readinesse, the Busses may all goe forth to the Island of *Wetland* as their Rendézvous, to keep together in their Fishing, and take that priviledge of the fishing-grounds (which belongs to His Majesty) before all Nations whatsoever.

IT is humbly offered to His Majesty, that untill there be convenient Wharfs, Store-houses, and Docks prepared, that work cannot be done, which to effect will require many thousand pounds.

And for raising of Monies to perform the same, without diminishing of any of the stocks that shall be particularly for the setting of the port on work.

May it please His Majesty to grant the setting up of a Lottery in the Kingdom for a certain time, as King *James* of blessed memory did grant for the Plantation in *Virginia*, 1612. Or Letters Pattents for free collection in the Churches, giving it in charge to the Ministers to give evidence the goodnesse of the work, which shall wholly be bestowed in erecting Store-houses and Warfs, in all convenient places in the Kingdom.

That it may please His Majesty to grant to the Fisher-men for drying their Nets, and setting up a Magazeen; (The Islands of *Sheteland* & *Holy Island*, making the Earl of *Pembroke* your Lievetenant, there to regulate the strangers that have long enjoyed the same, and kept the *English* out, whose Father disbursed in the years 1632. to 1639. the sum of 2100 l. in the building of Busses and Store-houses, and maintaining of *Dutchmen* that taught the *English* the right Art of building Busses, and curing the Herring and Cod, and making Nets.

That fitting persons may be commissioned to put on this great work vigorously, that no longer time be neglected, being three months since His Majesties Letter was Printed; The poor people crying out to be employed about the making of the Nets and Cask, &c. which must be provided against the next fishing season, which beginneth the latter end of *May*, then to go to their Fishing-places in *Sheteland*, &c.

And for the better encouraging of the Fishermen, to make them go on cheerfully, may it please Your Majesty to grant the like Accommodations as were granted unto *Philip* Earl of *Pembroke*, and *Mountgomery* and his Associates, in *Anno* 1632. being here under named.

1. That none of the Fishermen, or their Vessels at any time in the fishing seasons be interrupted, either by being Prest for His Majesties Service, or be put on any Juryes, or any other publick Offices whatsoever.

2. That they may be permitted to erect Wharfs, and Store-houses and Docks in all places about the Rivers and parts in the Kingdom where their conveniency will be most advantageous for that work.

3. That for the space of 7 years from the beginning of that Trade

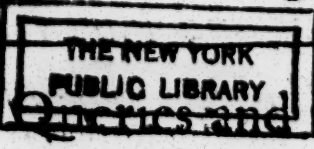
4. That the Fishermen may vend their Herring and fish in those
forraign parts prohibited by Charters, and make the returns of the
fils there made in all such commodities as are useful for the fishing,
free of any Impositions or any other Interruptions by the power of their
charter.

5. That all Victualars, Inns, Ale-houses, Taverns, Coffee-houses,
and the like, may be caused to vent, 1, 2, 3. or more Barrels of pickled
herring yearly, at the price of 30 s. per Barrel, according as the Regula-
tors shall order the same, whereby to procure vent at home, untill For-
ign vent be attained to perfection, and what Barrel-Herrings and
Cod the *Flemings* shall bring to vent in this Kingdom, to cause them to
pay 2 s. the Barrel to the fishing stock, which shall be proportionably
applied to each stock in *London*, and elsewhere, as the Regulators
shall order the same.

6. That in case of breach of peace with any Forraign Nation (which
God forbid) that then his Majesty will be graciously pleased to pro-
tect their Busses in their fishing-grounds, and grant them *Convoyes* for
their Exportation and Importation, untill such time as they be able of
themselves for to maintain an Armado, as the *Hollander* doth.

7. That His Majesty will be graciously pleased to grant at all times
such other priviledges and Immunities, as experience will discover, for
the better carrying on the great businesse of the Herring-fishings, in re-
gard all things cannot so well be discovered at present.

*The aforesaid Accommodations being granted, published and printed, will do the work
and cause all the Artists to appear and offer their service, for it is well known
there are Artists enough in the Kingdom that can cure the Herrings and Cod as
well as any other Nation, and make the Nets, Way-Ropes and other provisions, and
build Busses and all things belonging.*

Sundry  Objections offered to consideration.

WHether raising of stock for setting at work the poor in the Ward,
whereby their labours will raise 3 s. a week a peece for their
maintenance, either by beating of Hemp, spinning of twine, making of
Nets and Barrels, &c. Or by Assessement in every Parish to maintain
them in idlenesse with 4^d, 6^d, and 8^d. a week, and loose their labours, is most
profitable and laudable for the Kingdome.

II. Whether any other employment is more profitable to the Kingdome
then the taking, and curing, and venting of pickled Herring, and Cod,
&c. For the consumptive charge is onely Salt and Barrels,

which is sold for 20 s. and the Barrel of Hemp sold for 20 s. and the
for the Cod & Ling, by which it appears the manufactures do advance 16 s.
the Barrel, by the labour of the poor; or that the stranger shall take them
up at our own doors, and make us to buy them at their prizes, pleasures
whereas we may serve them, and imploy many Ships in the Exportation
of them; and in the Importation of their proceed.

III. Whether the North Wall Ditch of the City from Cripple-gate
to the Postern were not convenient for setting up Blocks and Sheds for
the beating of Hemp, and spinning of Twine, and Lines, and Ropes for the
Nets, which may be performed by carrying thither all Vagrants that shall
be gathered up in and about the Wards; And the Spectators who walk into
Moor-fields, taking delight in beholding the work, may be moved to
bequeath some Legacy towards the maintenance of so charitable a work.

IV. That this fishing Trade can no ways hinder or prejudice any, but
rather accommodate all other Trades and Employments, for the fishing
that are Westward it hath nothing there to do, the imployment being in
the North Seas, and our own Coast from Barwick to Dover, where the
Flemmings have fished many years, and destroyed many fishing Towns, and
undone our Fisher-men, too well-known and complained on, but never yet
remedied, whereas the fishing Trade being diligently, seriously, and effe-
ctually followed, will cherish the poor Fishermen, and raise up the decay-
ed fishing Towns again into a flourishing condition, with Gods blessing.

V. And whereas it is desired by the Fishmongers in London, that the
Nation may be enjoined to eat salt fish certain days in the week, for the
better vending thereof; It shall not need, for the Forraign vent will car-
ry away more then our own Fishers can take, and if the Flemming should
be still permitted to bring in Barrel Cod and other salt fish to serve the
Nation, whom the Fishmongers of London, and Fishers at Yarmouth
have a long time maintained in way of Trading and Partnership, so that
the setting up of fish dayes would be only for the profit of those of London
and Yarmouth, and would be a great damage to the Nobility and Gentry
of this Kingdome, because their Tenants could not subsist without raising
of Cattle for improvement of their Farmes.

VI. This fishing Trade will be both profitable to Fishmongers, and Gra-
siers, and Farmers, for every fishing Busse is victualed forth with a quan-
tity of Fish, Beef, Porke and Bacon, so for expence of Corn for Bisket, and
Pease, Oatmeal and Beer, &c. as the Busses shall increase, so the expence
will be more and more.

F I N I S.

P
r
t
e
l
o
o
t
g
n
e
d
t
e
i
e
e
e
r
d
e
h
ut
n
ry
g
a
n
ro
e
e

CONSIDERATIONS,

HUMBLY OFFERED,

Relating to a *Bill*, Proposed, for Preventing Escapes, and the better Relief of Creditors.

TH E Prisons of the *Kings-Bench* and *Fleet*, being the Immediate Prisons of the Great Courts in *Westminster-Hall*, Persons Arrested, in all parts of this Kingdom, have therefore frequently Removed their Bodies to those Courts, and Prisons, where their Causes, in Law and Equity, are finally Determined: And the Courts have deemed it an equal Advantage both to Debtor and Creditor, that their Prisoners, by Day Rules, &c. should have Liberty, with a Keeper, (in Term time at least) to Solicite their Law Affairs, Dispose their Estates and Effects, to the best Advantage. And thereupon the Statute of 23d. Hen. 6. Cap. 10. Reserved Liberty to the Warden of the Fleet, (and the Marshal of the Kings-Bench hath been adjudged to be within the Equity of the same) to take Security for true Imprisonment.

Now the Scope of this *Bill* is,

First, To take away all Securities for true Imprisonment, whereby the Marshals and Wardens Safeties are lessened in their Respective Offices, and the Consequence of it will be, That tho' there are already, some Thousands of Prisoners in the adjacent Streets upon Securities, which have been by Rules of Court and Necessity, made part of the very Prisons, yet all these Prisoners must be kept within their Walls, tho' there is not above 160 Rooms in the *Kings-Bench* and *Fleet* both.

Secondly, The *Bill* is to take away the Benefit that the Sheriffs, or Goalers may have, in case a Prisoner escapes, in Re-taking the Prisoner, by Enacting, that a fresh Pursuit, and Re-taking, shall be no Defence, by Way of Plea, or Evidence to an Action of Escape, what may become of Sheriffs and Goalers, if this be Enacted, may be obvious to the meanest Capacity, and what Benefit will this be to Creditors, if Men be rather invited to endeavour to Escape; and it be not worth the while for the Sheriffs, or Goalers, to be at the expence or trouble to Re-take them, since it will not defend them from paying the Debt.

Thirdly, This *Act* takes away the Liberty that Men have to remove their Bodys, though they may remove their Causes to the Courts at *Westminster*; the consequence of which, is that all Men Arrested, what distance soever from *London*, tho' their Causes in Law, or Equity, must be determined there, must be forced to leave the management of their Affairs to others, the dismal effects of which are too many to be enumerated, who can dispose of his Effects, or Estate, or borrow Money so conveniently as in *London*, which is the Center of the Trade, Law, and all Business in general.

It's not unfit to be remembered, that by the Common Law, Mens Bodies were not liable to be confined for Debt: And the Statutes since that, have made them subject, are not only more severe than the Ancient Common Laws, but than the Laws of other Countries. And it were to be wished, That when the Law was altered, it had been provided, that all persons, who Sue without Cause, or for more than is really due, should be condemned to the like, or greater Punishment.

As likewise, that tho' the Demand be just, and the Creditor insists to have his Debtor thus punished, when it can only gratify his Revenge, he should be obliged to maintain his Prisoner in such manner, as is required by the Wisdom of a Neighbouring State.

But these being omitted, the incertainty of Humane Affairs, and the unavoidable Calamities, which often befall even the best of Men, might be sufficient to mind the Rich and Fortunate, not to Abridge such small Provisions of Mercy, which our Ancestors thought fit to reserve to them that are, or may be Unhappy. It may therefore be worth while to consider what the consequence of a Law may be, which leaves a Man without Redress from the Malice of a Potent Adversary, or the severity of Cross Accidents, which neither the Legislators themselves, nor their Posterity, in the nature of things can wholly be secure from; especially at a time when the publick Affairs and Circumstances of War, and the mighty Difficulties that attend us, by reason of our present Coyn render it difficult, even for them who are intirely at liberty, to keep Equities of Redemption from Foreclosure in Chancery, when Mortgaged but for half the value.

Men would never put out their Money in Trade or otherwise, when it were at the peril of their lives, if their Returns should not be fast enough, to answer all Demands; for one Man, who, by such an Act were forced to pay a Just Debt, many must pay what any are so Unconscionable as to sue for, or possibly but threaten. This would be a Means to make multitudes Transport themselves, and effects, to Foreign Parts, where they can enjoy greater Freedom, or fill the *Mint*, *Savoy*, or *Fryars*, where there is an absolute Impunity. Merchants and Strangers would dread coming amongst us, and *England*, which hath hitherto Gloried in its Liberties, and been an Asylum to the Unfortunate, would become a Place inhabited by those very few, who can promise themselves a constant Course of Prosperity, to the Great Decay of Commerce, and Dispeopling the Land.

Lastly, Very few Creditors, as the Law now stands, suffer by the Liberty indulged to Prisoners, especially in Comparison of the Creditors, and Debtors, who would suffer by this.

For if either Marshal, or Warden, gives greater Liberty than the Law allows; or Prisoners abuse that Liberty, they and their Superiors, are liable as the Law now Stands; and Debts have often been paid by these Means, and by the Benefit of Securities, that they have taken, when the Prisoners were wholly Insolvent; of which many, and frequent Instances might be given, but 'tis highly probable, if this *Bill* pass, those Prisoners, that are trusted no farther than by Law, they might, will, take Advantage, and, perhaps, their Securities too to withdraw for ever, out of the Reach of the Law, which by the By, may be of very ill Consequence to the Creditors, as well as to the Marshal and Warden.

For which Reasons, it is Humbly Hoped, the said *Bill* shall not Pass.